

APPROVED: Meeting No. 31-80

ATTEST: *William M. Hanna, Jr.*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 28-80

July 14, 1980

The Mayor and Council of Rockville, Maryland, convened in special session on Monday, July 14, 1980 at 6:30 p.m. in the Conference Room, Rockville City Hall, for a briefing by the architect on the plans for the City Hall Addition. Mr. Hall briefed the Council and showed renderings and floor plans. The Council approved the plans and instructed the staff to proceed with the bidding process for City Hall.

There being no further business to come before the Council, the meeting was adjourned at 7:35 to convene in General Session in the Council Chambers at 8:00 p.m.

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chambers, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, July 14, 1980, at 8:00 p.m.

PRESENT

Mayor William E. Hanna, Jr.

Councilman Steve Abrams

Councilwoman Phyllis Fordham

Councilman John Freeland

Councilman John Tyner

The Mayor in the Chair.

In attendance: City Manager Larry Blick; City Clerk Helen Heneghan; City Attorney Roger Titus; Assistant City Manager Daniel Hobbs; Director of Planning James M. Davis; Public Information Officer Sue M. Patterson; Director of Recreation and Parks Ron Olson; Director of Public Works Robert Goodin.

Re: City Manager's Report

Mr. Blick reported the following:

1. On July 1, 1980, ads were published for the youth employment program as instructed by the Mayor and Council. Eighty-one applications were received and fifty-nine people were employed, forty from zip code 20850, eleven from zip code 20851 and eight from zip code 20852. The only requirement for the summer jobs was that the applicant be a Rockville resident between the ages of 14 and 18.
2. The smoothseal program is 95% complete. The award for the 1981 program will be made next week.

Re: Award of Contract: Solar energy
Equipment for Municipal Swim Center

Bids for the Rockville Municipal Swim Center Solar Energy project were opened on June 30, 1980. The bids were as follows:

R.M. Thornton, Inc.	\$259,735
R.W. Warner, Inc.	\$188,522

The estimated cost for this project was \$128,000 and at that cost the projected payback was 17 years. The low bid received results in an estimated payback of 23 years. After discussion with the bidders and a number of non-bidders, the Energy Commission and the design engineer, it is recommended that both bids be rejected. The design engineer is studying modifications that may be made in the system design to reduce the cost without compromising the integrity of the system. The revised design could then be re-bid on a quick response basis.

On motion of Councilwoman Fordham, duly seconded and unanimously passed, the bid for the solar energy project was rejected by the Council since the cost exceeded staff estimates.

Re: Introduction of Ordinance: To amend Section 11-1.01A of Chapter 11 of the "Laws of Rockville", entitled Traffic Vehicles and Transportation, to provide penalties for misuse of visitors' passes in parking permit areas.

On motion of Councilman Tyner, there was introduced upon the table an ordinance amending section 11-1.01A of Chapter 11 of the "Laws of Rockville", said ordinance to lay over at least one week before final action is taken.

Re: Resolution: to establish a new fee schedule for zoning applications, and other applications and permits.

Resolution No. 18-80

On motion of Councilman Freeland, duly seconded and unanimously passed, Resolution No. 18-80, the full text of which can be found in Resolution Book No. 7 of the Mayor and Council of Rockville establishing a new fee schedule for applications and permits, was adopted by the Mayor and Council.

Re: Approval of contract with Arthur Cotton Moore for the design of Courthouse Square and pedestrian areas of North Washington Street

At its meeting of June 3, 1980, the Mayor and Council instructed the staff to negotiate a contract with Arthur Cotton Moore/Associates for the design of Courthouse Square and for the design of architectural treatment for the sidewalks of North Washington Street. This agreement is the result of those negotiations.

The proposed agreement requires the Moore Firm to design Courthouse Square and the gateway areas to the Square on Jefferson and Washington Streets. The agreement which includes provision for construction administration, on-site inspections, site surveys, and geotechnical studies also requires the architect to provide schematic preliminary designs and outline specifications for the architectural treatment of North Washington Street exclusive of actual roadway construction. Total compensation to the Moore Firm is not to exceed \$200,000.00.

On motion of Councilman Abrams, duly seconded and unanimously passed, the City Manager was authorized to execute an agreement with Arthur Cotton Moore Associates for the design work as indicated.

Re: Approval of Phase II of park planning for Horizon Hill, James Monroe and North Farm Parks

Staff is beginning the planning and design of Phase II construction for Horizon Hill, James Monroe and North Farm Parks in accordance with the approved park master plans.

City and State Program Open Space funds will be approved in August for Phase II development of the above-listed parks. It is necessary at this time that the following items be designed with appropriate details and specifications with necessary inspection services as required.

1. Horizon Hill Park - \$175,500 Budget
 - Play Equipment Area "B"
 - Play Equipment Area "C"
 - Basketball Court
 - Extra Benches and Trash Receptacles
 - New Footbridge and Related Path
 - Landscape Planting Plan
2. James Monroe Park - \$27,500 Budget
 - Additional Benches
 - Landscape Planting Plan to include Bulbs and Flower Beds

3. North Farm Park - \$107,500 Budget

2 Tennis Courts

Additional Benches

1 Park Shelter with stone fireplace (no restrooms included)

Additional Landscaping

Staff recommends that the present land planning consultant, Benning and Associates, be authorized to perform the necessary specification services for Phase II of the parks for the amount of \$15,850.

On motion of Councilman Tyner, duly seconded and unanimously passed, the landscape architect, Benning and Associates, was approved to perform the planning services as outlined in the amount of \$15,850 and the staff was instructed to proceed only if the State program Open Space Funding is approved with the exception of the James Monroe Park which will be developed regardless of grant funds.

Re: Approval of requests to Maryland
Municipal League for support of
State legislation

The following legislative action requests are proposed for submission by the City to the Maryland Municipal League in keeping with the MML review by the Legislative Action Committee.

1. Amend Article 66B in order to provide that municipal infractions can be issued for violations of the sign code which is part of the City Zoning Ordinance.
2. Provide for State financial contribution to the undergrounding of overhead utility lines in commercial districts.
3. Repeal Article 81, Section 232C of the Annotated Code of Maryland (the "Constant Yield Tax Rate" provision).
4. Provide for mandatory review by municipal governments over all pending zoning map changes within a one-mile radius of a municipality's corporate limits; and provide that a super majority of the County governing body be required to override a municipality's recommendation in this matter.

Mayor Hanna suggested that last year's item on enclaves be added to this list to keep it visible.

On motion of Councilman Tyner, duly seconded and unanimously passed, the list was approved with the addition of the enclave legislation.

Councilwoman Fordham suggested that the list be prioritized. She said it is imperative to go with the No. 2 item, then No. 1 which will have Delegate Forehand's assistance. She said No. 3 can remain in place. She suggested that No. 4 be dropped and that the City look to local agreements for that and pursuing this with Montgomery County would be a better course of action.

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wish to address the Mayor and Council.

1. Walter Martin, 802 Madison Street. Mr. Martin asked that the City remove the log from the Watts Branch Creek at the foot of Madison Street, that the sign saying "No Dumping" be replaced at the foot of Madison Street and that the City look to the storm sewer problems in that area that are causing severe erosion.

2. Delegate J. Forehand. Delegate Forehand asked that the Council help with legislation that forbids trespassing on public school property. Mayor Hanna asked that a copy of the bill be forwarded to the Mayor and Council for their action.

3. Lisa Taylor, 904 College Parkway. Ms. Taylor said she is concerned with the intersection of Nelson and College Parkway. Sight is blocked by a car with a boat trailer and a recreation vehicle. This causes the lack of adequate lane passage. She said there is an additional problem now with trucks using College Parkway since the sign forbidding trucks is hidden by a tree.

4. Viola Hovsepian, 2 Tweed Court. Ms. Hovsepian said the sign on the pump house should be changed since it still indicates the Neighborhood Improvement office. Mayor Hanna said this has been done.

There being no other citizen wishing to be heard, the Mayor closed the Citizen's Forum portion of the meeting.

Re: Public Hearing: SCA-23-80, E. Casey
Applicant to close and abandon a
portion of Locust Street

Mayor Hanna opened the public hearing on SCA-23-80, E. Casey, Applicant, and continued it until August 18, 1980.

Re: Public Hearing: Ordinance proposing
the construction of Gude Drive as a
special assessment project.

The Mayor and Council conducted a public hearing on an ordinance proposing the construction of Gude Drive as a special assessment project and heard those persons as may be found in the official stenographic transcript of the hearing.

There being no other citizen wishing to be heard, the Mayor closed the public hearing with the record to be held open for a period of three weeks.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. Lud Smith, re fireworks.
2. Ralph Williams, re amendment to TCO-2 Zone to accommodate restaurant.
3. Rockshire neighbors, re noise problem and County response.
4. Maryland Department of Transportation re Official Highway map designation.

Mayor Hanna asked that a letter be sent back to the Department of Transportation indicating that Rockville is the second largest City in the State, the County seat, an All America City four times and a blown up map of the City should be included on the State map.

5. Anthony Dwyer, re Rockville park land.
6. Beth Ruddiman, re downtown Rockville buildings.
7. R. R. Haight, re miscellaneous matters.

Councilman Tyner said the notice of deficiency has caused quite a few complaints and perhaps the staff should look into a warning policy. Councilwoman Fordham agreed and said she herself plans to go out and look at what properties are being ticketed.

8. Ms. Nelson and Mr. Pugh, re assessment for Seven Locks Road.
Councilman Tyner noted that the high payment is difficult.
9. Dave Brown, complimenting Don Douglass.
10. Roger Langley, complimenting Don Douglass
11. Andrew Sonner, re upgrading of traffic signals.

Councilman Abrams suggested that the staff pursue Mr. Sonner's suggestion but he indicated that 100% federal funding will be difficult to obtain.

12. E. R. Horton, re sewage bill.
13. K. Enge, Public Service Commission, re rates for street light service.
14. C. H. Breedlove, re Avery Road conditions.
15. J. Garvey, CIUL, re visit of Germans.
16. Linda Buel, re flea problem in Rockville.
17. Hungerford/Stoneridge Civic Association, re storm water management at Dawson farm.

Re: Information Items

1. Copy of letter responding to citizen complaint.
2. Copy of letter to citizen allowing refund for Civic Center problem.
The Council instructed the City Manager to proceed with the sending of this letter.
3. Copy of complimentary letter to police.
4. Notice of project study for Falls Road interchange and hearing.
Councilman Tyner asked that the citizens' association be notified of this upcoming hearing.
5. Notes on County Council meeting re new mixed use zone.
6. Town Center newsletter
7. Recreation flyers
8. Memo on Village Green Condominium Conversion
9. Copy of letter from HOC re Twinbrook site.
10. Flyer on Rockville.
11. MML agenda
12. Memo from City Attorney re Monk v. Pugh
13. Memo re application for Federal Energy Audit Assistance.

Re: Approval of Minutes

On motion of Councilman Abrams, duly seconded and unanimously passed, the minutes of Meeting No. 24-80, June 9, 1980, were approved as written.

On motion of Councilman Abrams, duly seconded and unanimously passed, the minutes of Meeting No. 25-80, June 16, 1980, were approved as written.

Re: New Business

1. Mr. Blick told the Council that on July 15, 1980 Metro would be conducting a public hearing on the extension of the Q4 bus which will be going down Horner's Lane to the Town Center. He said the staff is not recommending any testimony. The Council discussed this and did not instruct the staff to give testimony, however, they did ask that the neighborhood be questioned so that something might be placed in the record.

2. Mayor Hanna said the County's proposed housing plan was a good step. It assessed the needs of the entire county at one time. He asked the Council to ask the staff to consider a Rockville proposal for a similar plan and then let the City formally adopt a plan that integrates with that of the County. Councilwoman Fordham indicated she had spoken to the Community Development and Housing Assistance Department and discussed a day-long symposium on housing. After a discussion, the Council agreed that a majority would like to see a proposed list of topics for the symposium and then a decision can be made.

3. Councilman Tyner asked that the staff furnish the Council with a status report on the mini-transportation plan.

Re: Executive Session

There being no further business to come before the Council in general session, the meeting was closed for executive session to discuss land disposition.

Re: Adjournment

There being no further business to come before the Council in executive session, the meeting was adjourned at 12:30 a.m. to convene again in general session on Monday, July 21st at 8:00 p.m. or at the call of the Mayor.